United Nations A/59/760–S/2005/214

General Assembly
Security Council

Distr.: General
30 March 2005

Original: English

General Assembly
Fifty-ninth session
Agenda item 29
Question of Cyprus

Security Council
Sixtieth year

Letter dated 29 March 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 March 2005, addressed to you by Mr. Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

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Annex to the letter dated 29 March 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 9 January 2005, addressed to you by the Greek Cypriot representative, which was circulated as a document of the General Assembly and of the Security Council (A/59/699-S/2005/85) on 11 February 2005 and to bring to your kind attention the following.

It should be underlined that none of the Security Council resolutions to which references are made in the Greek Cypriot representative's letter describe the legitimate and justified Turkish intervention of 1974, undertaken in accordance with the treaty of Guarantee of 1960, as "invasion" or the presence of Turkish troops in the island as "occupation". Such distortions are purely a Greek Cypriot invention aimed at blurring the issue and confusing the innocent with the guilty. On this point, I would only like to recall the dramatic statement made by Archbishop Makarios before the Security Council on 19 July 1974 in which he stated and I quote:

> "What was happening in Cyprus since last Monday is a real tragedy. The military regime of Greece has callously violated the independence of Cyprus. Without a trace of respect for the democratic rights of the Cypriot people, without a trace of respect for the independence and sovereignty of the Republic of Cyprus, the Greek junta has extended its dictatorship to Cyprus ... It [the coup of the Greek junta] is clearly an invasion from outside, in flagrant violation of the independence and sovereignty of the Republic of Cyprus ... The coup of the Greek junta is an invasion, and from its consequences the whole people of Cyprus suffers, both Greeks and Turks ... The Security Council should call upon the military regime of Greece to withdraw from Cyprus the Greek officers serving in the National Guard, and to put an end its invasion of Cyprus."

It is, in fact, true that there is an occupation in Cyprus and it is the 42-year-old usurpation and continued occupation of the seat of government by the Greek Cypriot side since 1963, when all Turkish Cypriot members of all State organs were forcibly ejected from their positions. The Turkish Cypriot partner did not accept this attempted take-over of the bi-national State by the Greek Cypriot side and, through its national resistance, prevented the Greek Cypriot side from extending its authority over the Turkish Cypriot people. In consequence, since December 1963, there has not been a joint central administration in the island, capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim that it is the "Government of Cyprus".

Although this is not the first time that the Greek Cypriot administration has tried to mislead the international community by deliberately disseminating fraudulent and imaginary information, this time, however, it has gone to the extent of absolute falsification. The fictitious and ridiculous figures included in the letter regarding the arrival of new so-called "settlers" from Turkey and that Turkey is aiming to double the population in the North are totally baseless and ought to be considered as figments of imagination.

Almost a year has elapsed since the separate simultaneous referendums held in Cyprus on your settlement plan on 24 April 2004, in which the Greek Cypriot side, at the behest of their leadership, resoundingly voted against settlement and sharing the benefits of European Union membership with Turkish Cypriots who, on the other hand, overwhelmingly voted for compromise and a common future with the Greek Cypriots in the European Union. The plan was a compromise plan, which had the backing of the international community as a whole. As stated in your subsequent mission of good offices report (S/2004/437, annex III) dated 28 May 2004, "the Turkish Cypriots, who approved the plan notwithstanding the significant sacrifices that it entailed for many of them". The Greek Cypriot representative understandably took special care not to make a single reference to your settlement plan. The grave responsibility of the Greek Cypriot leadership in the rejection of the plan is, and will be, a heavy burden on the Greek Cypriot side.

It hardly needs to be stressed that the plan, among other things, provided for a phased reduction of both Turkish and Greek forces in the island according to a fixed timetable. Therefore, the Greek Cypriot side should cease to level untenable accusations against Turkey and be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey, within the context of the efforts aimed at finding a settlement in the island.

Responding to the remarks of the Greek Cypriot representative regarding the transactions involving the sale of property in the Turkish Republic of Northern Cyprus, I would like to underline, once again, that such transactions are a matter concerning only the relevant authorities of the State. The claim of the Greek Cypriot representative that the property transactions taking place in the North are unlawful is totally unfounded. The fact that the Greek Cypriot administration has threatened, with publicizing their names and humiliating them before the public, Greek Cypriots, who have had the courage to file claims within the framework of the legal mechanism set up to address the property claims of the Greek Cypriot people in the North, is a clear indication that its aim is not to address the problem in a mutually acceptable way. The Greek Cypriot side should be made to understand that it cannot have the luxury of rejecting a fair settlement and at the same time expect everything else to remain constant.

The Greek Cypriot representative is also not convincing when he refers in his letter to the so-called commitment of the Greek Cypriot administration to assist the economic advancement of the Turkish Cypriot people, when the same administration continues to block the adoption by the European Council of the Commission's financial aid and direct trade regulations for Northern Cyprus in particular, and any other step to be taken in this direction by the international community, in general. Despite this fact, the Greek Cypriot representative has gone as far as claiming that it was the Greek Cypriot administration who was behind the European Union Council of Ministers decision of 26 April 2004 to put an end to the isolation of the Turkish Cypriot people, although it was not even a full member of the Union on that date.

Indeed, the Greek Cypriot administration is continuing with its regressive moves against the Turkish Cypriot people, which are not conducive to the search for a new window of opportunity to overcome the current impasse created by the Greek Cypriot rejection of your 2004 settlement plan. In this context, most recently, the Greek Cypriot administration have declared 2005 as "The Year for Remembrance

and Honouring of EOKA Liberation Struggle". It would be remembered that EOKA was a Greek Cypriot terrorist organization responsible for the killing of many Turkish Cypriot and British citizens as well as the Greek Cypriots who disagreed with its ultimate goal of the annexation of the island to Greece (enosis).

Regarding the Greek Cypriot representative's remarks pertaining to a political settlement in Cyprus, I would like to refer, once again, to your mission of good offices report (S/2004/437) dated 28 May 2004, in which you stated and I quote: "what was rejected [by the Greek Cypriots] was the solution itself rather than a mere blueprint". Therefore, the endeavour of the Greek Cypriot representative to create a smoke screen before this undeniable fact and shun his side's grave responsibility for the current impasse is a desperate attempt. Furthermore, in the same report you also stated and I quote: "if the Greek Cypriots are ready to share power and responsibility with the Turkish Cypriots in a federal structure based on political equality, this needs to be demonstrated, not just by words, but by action" and "if they [Greek Cypriots] remain willing to resolve the Cyprus problem through a bicommunal, bizonal federation, this needs to be demonstrated. Lingering Greek Cypriot concerns about security and implementation of the plan need to be articulated with clarity and finality." Despite this call being reiterated by you on various occasions, it has not yet been properly responded to by the Greek Cypriot leadership. The failure and the unwillingness of the Greek Cypriot side to do so clearly demonstrates that it is not, and has never been, interested in a mutually acceptable settlement, despite continuously professing to the contrary.

Turkish Cypriot people are for a new partnership in Cyprus as unequivocally reflected in the results of the referendums held in the island in 2004. Bizonality, sovereign equality and the continuation of the 1960 system of guarantees are essential ingredients of a viable and lasting settlement. In order to have a realistic chance of achieving this goal, the Turkish Cypriot side must have a negotiating partner who has come to terms with its heavy responsibility in the creation of the Cyprus issue, and who is willing and able to negotiate for a new partnership free of the devious tactics employed hitherto. As a first step, the Greek Cypriot side, without further delay, should heed to your call and pronounce itself with finality and clarity on the questions you have put to it.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus